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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Takurou Sone

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MORRISON & FOERSTER, LLP

555 WEST FIFTH STREET

SUITE 3500

LOS ANGELES, CA 90013-1024

EXAMINER

BONSHOCK, DENNIS G

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 08/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/871,543

Applicant(s)

SONE, TAKUROU

Examiner

Dennis G. Bonshock

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-10 and 12-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-10, and 12-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**Non-Final Rejection**

***Response to Amendment***

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment as received on 5-19-2006.

2. Claims 1-21 have been examined.

Status of Claims:

3. Claims 1, 4, 8, 9, 12, and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yager et al., Patent #5,983,236, hereinafter Yager and Nagai et al., Patent #6,795,092, hereinafter Nagai.

4. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yager, Nagai, and Chernock et al., Patent #6,314,569, hereinafter Chernock.

5. Claims 5-7 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yager, Nagai, and Coelho et al., Patent #5,748,196, hereinafter Coelho.

6. Claims 3 and 11 have been canceled.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 4, 8, 9, 12, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yager et al., Patent #5,983,236, hereinafter Yager and Nagai et al., Patent #6,795,092, hereinafter Nagai.

9. With regard to claim 1, which teaches a multimedia system comprising: a file storage that stores a multimedia file, Yager teaches, in column 1, line 1 and lines 45-61, a multimedia system where video data files are stored on the clients computer. With regard to claim 1, further teaching a plurality of sequence tracks including: a performance sequence track (which stores audio information), a drawing sequence track (which stores picture sequence information), and a synchronization means for synchronizing the two, Yager teaches, in column 2, lines 42-55, a video clip which contains video images, still images, audio signals, and text, also further including a synchronization information to correlate the various clip components. With regard to claim 1, further teaching the synchronization information containing control information effective to control a progression of each sequence track at a desired position along a time axis, Yager further teaches, in column 2, lines 42-55, the synchronization information containing synchronization data containing points of temporal correlation between various components. With regard to claim 1, further teaching a sequencer that processes the multimedia file for parallel running of the sequence tracks synchronously with each other according to the synchronization information, Yager teaches, in column 2, lines 46-65, a sequencing component that processes the multimedia video clip components to run together. With regard to claim 1, further teaching a program storage that stores an application program which treats and controls the multimedia file, Yager

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teaches, in column 2, lines 34-37, a data storage unit for storing the audio and video data. With regard to claim 1, further teaching an executing unit that executes the application program to enable the application program to communicate with the sequencer for effecting a control of the parallel running of the sequence tracks, Yager teaches, in column 2, lines 34-65, a processor for executing the synchronous execution of the video and audio units. With regard to claim 1, further teaching the sequence tracks including a start control and a stop control of the running of the sequence tracks, Yager teaches, in column 4, lines 11-14, play and pause controls for controlling the execution of the video clip. With regard to the claim further teaching the two way communication between the sequencer and the executing unit, Yager teaches a separate group of synchronization data that provides temporal correlation for the other components of the video wherein segments of each type of data are sequentially processed and displayed (see column 2, lines 47-59). Yager, however, doesn't specifically teach the data structure constituted by a sequence of events and durations, where the durations indicate time intervals between successive events. Nagai teaches, in column 1, lines 6-12 and column 2, lines 45-54, an apparatus, method, and storage medium for the temporal correlation of a plurality of types of media data, and teaches two way communication (between the sequencer and the processing unit) by providing for a processing apparatus, for combining a plurality of types of media data using synchronization data, that comprises the preparing unit (sequencer), similar to that of Yager, but further teaches, in column 9, lines 45-65 and in figure 5, organizing scenes of the same data structure on a time axis where events (symbolized by bold lines) are

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given durations (start and end times) provide them with reproduction timing. It would have been obvious to one of ordinary skill in the art, having the teachings of Yager and Nagai before him at the time the invention was made to modify the temporal organization of media data of Yager to include the duration and event structure of Nagai. One would have been motivated to make such a combination because this would provide Yager with an event organizational means for its segments providing defined start and end times as Nagai used for its' scenes.

10. With regard to claims 4 and 12, which teach the synchronization information includes control information effective to control a progression of each sequence track along a time axis, Yager teaches, in column 2, lines 46-65, a single master synchronization component or individual components, which control the temporal correlation between the various video clip components. Nagai further teaches, in column 1, lines 6-12 and column 2, lines 45-54, a organization of scenes along a time axis.

11. With regard to claim 8, which teaches a multimedia system that includes a plurality of sequence tracks, Yager teaches, in column 1, line 1 and lines 45-61, a multimedia system where video data files are stored on the client's computer. With regard to claim 8, further teaching a performance sequence track (which stores audio information), a drawing sequence track (which stores picture sequence information), and a synchronization means for synchronizing the two, Yager teaches, in column 2, lines 42-55, a video clip which contains video images, still images, audio signals, and text, also further including a synchronization information to correlate the various clip

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components. With regard to claim 8, further teaching a sequencer that processes the multimedia file for parallel running of the sequence tracks synchronously with each other according to the synchronization information, Yager teaches, in column 2, lines 46-65, a sequencing component that processes the multimedia video clip components to run together. With regard to claim 8, further teaching the synchronization information containing control information effective to control a progression of each sequence track at a desired position along a time axis, Yager further teaches, in column 2, lines 42-55, the synchronization information containing synchronization data containing points of temporal correlation between various components. With regard to claim 8, further teaching a program storage that stores an application program which treats and controls the multimedia file, Yager teaches, in column 2, lines 34-37, a data storage unit for storing the audio and video data. With regard to claim 8, further teaching an executing unit that executes the application program to enable the application program to communicate with the sequencer for effecting a control of the parallel running of the sequence tracks, Yager teaches, in column 2, lines 34-65, a processor for executing the synchronous execution of the video and audio units. With regard to claim 8, further teaching the sequence tracks including a start control and a stop control of the running of the sequence tracks, Yager teaches, in column 4, lines 11-14, play and pause controls for controlling the execution of the video clip. With regard to the claim further teaching the two way communication between the sequencer and the executing unit, Yager teaches a separate group of synchronization data that provides temporal correlation for the other components of the video wherein segments of each type of data

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are sequentially processed and displayed (see column 2, lines 47-59). Yager, however, doesn't specifically teach the data structure constituted by a sequence of events and durations, where the durations indicate time intervals between successive events.

Nagai teaches, in column 1, lines 6-12 and column 2, lines 45-54, an apparatus, method, and storage medium for the temporal correlation of a plurality of types of media data, and teaches two way communication (between the sequencer and the processing unit) by providing for a processing apparatus, for combining a plurality of types of media data using synchronization data, that comprises the preparing unit (sequencer), similar to that of Yager, but further teaches, in column 9, lines 45-65 and in figure 5, organizing scenes of the same data structure on a time axis where events (symbolized by bold lines) are given durations (start and end times) provide them with reproduction timing. It would have been obvious to one of ordinary skill in the art, having the teachings of Yager and Nagai before him at the time the invention was made to modify the temporal organization of media data of Yager to include the duration and event structure of Nagai. One would have been motivated to make such a combination because this would provide Yager with an event organizational means for its segments providing defined start and end times as Nagai used for its' scenes.

12. With regard to claim 9, which teaches a method of playing a multimedia file, comprising a plurality of tracks, by combination of a sequencer and an application program, Yager teaches, in column 2, lines 34-65, in column 4, lines 10-14, and in column 6, lines 10-17, playing a multimedia file through the use of an application program and a sequencing element. With regard to claim 9, which further teaches a



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multimedia system comprising: sequence tracks including: a performance sequence track (which stores audio information), a drawing sequence track (which stores picture sequence information), and a synchronization means for synchronizing the two, Yager teaches, in column 2, lines 42-55, a video clip which contains video images, still images, audio signals, and text, also further including a synchronization information to correlate the various clip components. With regard to claim 9, further teaching a sequencer that processes the multimedia file for parallel running of the sequence tracks synchronously with each other according to the synchronization information, Yager teaches, in column 2, lines 46-65, a sequencing component that processes the multimedia video clip components to run together. With regard to claim 9, further teaching the synchronization information containing control information effective to control a progression of each sequence track at a desired position along a time axis, Yager further teaches, in column 2, lines 42-55, the synchronization information containing synchronization data containing points of temporal correlation between various components. With regard to claim 9, further teaching a program storage that stores an application program which treats and controls the multimedia file, Yager teaches, in column 2, lines 34-37, a data storage unit for storing the audio and video data. With regard to claim 9, further teaching the sequence tracks including a start control and a stop control of the running of the sequence tracks, Yager teaches, in column 4, lines 11-14, play and pause controls for controlling the execution of the video clip. With regard to the claim further teaching the two way communication between the sequencer and the executing unit, Yager teaches a separate group of synchronization data that

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provides temporal correlation for the other components of the video wherein segments of each type of data are sequentially processed and displayed (see column 2, lines 47-59). Yager, however, doesn't specifically teach the data structure constituted by a sequence of events and durations, where the durations indicate time intervals between successive events. Nagai teaches, in column 1, lines 6-12 and column 2, lines 45-54, an apparatus, method, and storage medium for the temporal correlation of a plurality of types of media data, teaches two way communication (between the sequencer and the processing unit) by providing for a processing apparatus, for combining a plurality of types of media data using synchronization data, that comprises the preparing unit (sequencer), similar to that of Yager, but further teaches, in column 9, lines 45-65 and in figure 5, organizing scenes of the same data structure on a time axis where events (symbolized by bold lines) are given durations (start and end times) provide them with reproduction timing. It would have been obvious to one of ordinary skill in the art, having the teachings of Yager and Nagai before him at the time the invention was made to modify the temporal organization of media data of Yager to include the duration and event structure of Nagai. One would have been motivated to make such a combination because this would provide Yager with an event organizational means for its segments providing defined start and end times as Nagai used for its' scenes.

13. With regard to claims 16-18, which teach the executing unit effecting the control of the parallel running of the sequence tracks including at least one of a pausing control for pausing the running of sequence tracks, a branching control for branching the sequence tracks, and a repetition control for repeating a part of the sequence tracks,

Yager further teaches, in column 4, lines 9-18, a user control array providing the user with means to play, rewind (branch and possibly replay), pause, stop sequencing and further to select from a slider the location to commence the sequence.

14. With regard to claims 19-21, which teach a step of determining a start time of an event by accumulating the durations that indicate the time intervals between the successive events, Nagai further teaches, in column 9, lines 45-65 and column 10, lines 60-65, a date timing step that obtains a start time of all media data sets, as relative times to the reproduction start time of the original document and scene start times as relative times to the reproduction start time of each media data set.

15. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yager, Nagai, and Chernock et al., Patent #6,314,569, hereinafter Chernock.

16. With regard to claims 2 and 10, Yager and Nagai teach, a multimedia system, comprising a video part and an audio part (see column 2, lines 42-55). Yager and Nagai, however, fails to teach that an audio part that contains different parts for music data and for audio data. Chernock teaches a video/audio presentation system similar to that of Yager and Nagai, but further teaches, in column 5, line 67 through column 6, line 3, two separate tracks of audio, where there is one for music and a separate for dialogue. It would have been obvious to one of ordinary skill in the art, having the teachings of Yager, Nagai, and Chernock before him at the time the invention was made to modify the multimedia system of Yager and Nagai to include the two distinct audio portions as did Chernock. One would have been motivated to make such a

combination because this would allow modification to one track while the other could continue to play.

17. Claims 5-7 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yager, Nagai, and Coelho et al., Patent #5,748,196, hereinafter Coelho.

18. With regard to claims 5 and 13, Yager and Nagai teach, a multimedia system that includes a drawing sequence track (see column 2, lines 42-55) and that textural information (a display object or a sprite) is integrated into the video sequence (see column 1, lines 58-61). Yager and Nagai, however, doesn't teach that the drawing sequence is constituted by a sequence of display events and durations, where a display event indicates a display object, which is drawn during the running of the drawing sequence track, the duration indicating a time interval between a pair of successive display events. Coelho teaches a audio/video sequence processing system similar to that of Yager and Nagai, but further teaches, in column 2, lines 47-50, in column 5, line 62 through column 6, line 48, and column 12, lines 7-13, a movable object (sprite) which is overlaid on a fixed or relatively slow moving background, in which the graphics object (sprite) is sequenced in time. It would have been obvious to one of ordinary skill in the art, having the teachings of Yager, Nagai, and Coelho before him at the time the invention was made to modify the multimedia system of Yager and Nagai to have the display event containing display objects as did Coelho. One would have been motivated to make such a combination because overlaying graphics images allows for modification of one without modifying the whole display.

19. With regard to claims 6 and 14, which teach that the display event includes layout information effective to specify a position of the display object relative to a display screen in a plurality of coordinate formats according to a size of the display screen and a size of the display object. Coelho further teaches, in column 2, lines 47-50 and in column 5, line 62 through column 6, line 48, a movable object (sprite) which is overlaid on a fixed or relatively slow moving background, in which the graphics object (sprite) layout information including a specific object size and position (see column 6, lines 19-22) and the surface in which the object is laid upon contains it's own width and height (in pixels) (see column 6, lines 5-9).

20. With regard to claims 7 and 15, which teach a display event comprising a primary block containing definition information effective to define the display object, and a secondary block containing modification information effective to impart movements to the display object, the modification information being selected to impart one or more of different movements which are independent from one another and which do not interfere with one another, Coelho further teaches, in column 2, lines 47-59 and in column 6, lines 15-44, groups of object characteristics that contain location and size characteristics, and groups of object characteristics that contain object sequence movement data.

***Response to Arguments***

21. The arguments filed on 5-19-2006 have been fully considered but they are not persuasive. Reasons set forth below.

22. The applicants' argue that neither Yager or Nagai contain any disclosure an executing unit receiving status information from a sequencer, perform a process in response to the status information, and transmits back to the sequencer instruction in accordance with the results of the process performed.

23. In response, the examiner respectfully submits that Yager teaches a separate group of synchronization data that provides temporal correlation for the other components of the video wherein segments of each type of data are sequentially processed and displayed (see column 2, lines 47-59).

Nagai supplements this teaching by providing for a processing apparatus, for combining a plurality of types of media data using synchronization data, that comprises the preparing unit (sequencer) (see column 2, lines 45-54). This shows the sequencer and the executing unit being one and the same.

***Conclusion***


24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

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25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7-25-06  
dgb



**RAYMOND J. BAYERL**  
**PRIMARY EXAMINER**  
**ART UNIT 2173**